

Substitute for form 1449/PTO <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)	<i>Complete if Known</i>	
	<b>Application Number</b>	10/733,700
	<b>Filing Date</b>	December 11, 2003
	<b>First Named Inventor</b>	William R Watt
	<b>Group Art Unit</b>	3693
	<b>Examiner Name</b>	James Vezzeris
Sheet 1 of 4	<b>Attorney Docket No: 2043.159US1</b>	

US PATENT DOCUMENTS				
Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Filing Date If Appropriate
	US-20030208408A1	11/06/2003	Garg, Rahul, et al.	05/03/2002
	US-4,319,336	03/09/1982	Anderson, R. W, et al.	02/02/1979

FOREIGN PATENT DOCUMENTS			
Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document
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OTHER DOCUMENTS – NON PATENT LITERATURE DOCUMENTS		
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	"" American Law Institute, Draft-Uniform Commercial Code Revised Article 2 (Sales0, Parts 2, 3 and 7, printed from <a href="http://www.kentlaw.edu/ulc/uniform/uccart2/chap2/ucc2c237.html">http://www.kentlaw.edu/ulc/uniform/uccart2/chap2/ucc2c237.html</a> , (01/04/1996), pp. 1-15	
	"" INTERNET PRESENCE, INC. Newsgroup Posting RE: ANNOUNCE: Internet ShopKeeper, (08/02/1994), 2 pgs	
	"" <a href="http://www.webopedia.com/TERM/d/daemon.html">http://www.webopedia.com/TERM/d/daemon.html</a> , (6/2/04), 2 pgs	
	"" Numismatists Online Letter and Numismatist Online dealer member agreement, (09/09/1995)	
	"A Beginner's Guide to HTML", NCSA/pubs@ncsa.uiuc.edu, Appendix A, mailed to the USPTO October 24, 1994, 11 pgs	
	"Affinity Traders Online Business Plan", (08/18/1995), 29 pgs	
	"AMIX Demo Screen Shots", Dan Bricklin's Demo 11 Computer Program, Sage Software, (Copyright 1990, 1991), 49 pgs.	
	Application Serial No. 09/706,849, Non Final Office Action mailed 04/07/2009, 13 pgs	
	Application Serial No. 09/706,849, Response filed 02-06-09 to Final Office Action mailed 08-06-08, 17 pgs	
	Application Serial No. 10/316,292, Response filed 03-09-09 to Non-Final Office Action mailed 08-09-08, 10 pgs	
	Application Serial No. 10/316,293, Response filed 02-11-09 to Non-Final Office Action mailed 08-11-08, 11 pgs	
	Application Serial No. 10/316,296, Response filed 01-12-09 to Non-Final Office Action mailed 07-11-08, 19 pgs	
	Application Serial No. 10/316,297, Response filed 02-09-09 to Final Office Action mailed 08-07-08, 13 pgs	
	Application Serial No. 10/316,298, Non-Final Office Action mailed 10-03-08, 5 pgs	
	Application Serial No. 10/316,298, Response filed 03-03-09 to Non-Final Office Action mailed 10-03-09, 15 pgs	
	Application Serial No. 10/316,324, Non-Final Office Action mailed 03-03-09, 7 pgs	
	Application Serial No. 10/316,326, Non-Final Office Action mailed 04-03-09, 32 pgs	
	Application Serial No. 11/618,632, Non-Final Office Action mailed 12-24-08, 10 pgs	

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DATE CONSIDERED

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OTHER DOCUMENTS – NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T*
	"Chicago Firm Offers Internet Brokerage Services", <u>Simba Information, Inc., Media Daily</u> , (12/21/1994), Section No. 342, Volume 2	
	"Competition in the Dutch Flower Markets", (11/06/2001), 7 pgs	
	"Confidential Deposition of Jason Robert Surratt", <u>MercExchange, L.L.C. v. eBay Inc., and Returnbuy, Inc., United States District Court Eastern District of Virginia Norfolk Division, Civil Action No. 2:01-CV-736</u> , (06/20/2002), 47 pgs	
	"Corrected Brief of Appellants", <u>In the United States Court of Appeals for the Federal Circuit, Case No. 03-1600, -1616, MercExchange, L.L.C. v. eBay, Inc. and Half.com, Inc.</u> , (01/06/2004), 70 pgs	
	"Deposition of Alan Fisher, Volume 1", <u>MercExchange, L.L.C. v. eBay Inc., and Returnbuy, Inc., United States District Court Eastern District of Virginia Norfolk Division, Civil Action No. 2:01-CV-736</u> , (06/18/2002), 22 pgs	
	"Deposition of Alan Fisher, Volume II", <u>MercExchange, L.L.C. v. eBay Inc., and Returnbuy, Inc., United States District Court Eastern District of Virginia Norfolk Division, Civil Action No. 2:01-CV-736</u> , (06/19/2002), 24 pgs	
	"Deposition of Jerry Kaplan", <u>MercExchange, L.L.C. v. eBay Inc., and Returnbuy, Inc., United States District Court Eastern District of Virginia Norfolk Division, Civil Action No. 2:01-CV-736</u> , (06/18/2002), 49 pgs	
	"Deposition of Pierre Omidyar", <u>MercExchange, L.L.C. v. eBay Inc., and Returnbuy, Inc., United States District Court Eastern District of Virginia Norfolk Division, Civil Action No. 2:01-CV-736</u> , (06/04/2002), 14 pgs	
	"Deposition of Thomas Woolston", <u>MercExchange, L.L.C. v. eBay Inc., and Returnbuy, Inc., United States District Court Eastern District of Virginia Norfolk Division, Civil Action No. 2:01-CV-736</u> , (04/16/2002), 52 pgs	
	"FCC Will Allow Remote Electronic Bidding in October 26 Narrowband PCS Auction", <u>Common Carrier Week</u> , (10/10/1994), 2 pgs	
	"First Auction Wins the Bid for Online", <u>Internet Shopping Network</u> , (01/07/2002), 4 pgs	
	"Google Newsgroup RE: press/Digital and Open Market Partner to do Business Over the Internet", <u>Digital Press &amp; Analysis News</u> , (11/07/1994), 3 pgs	
	"Internet-based Investor Service Completes Trials; Adds Mutual Funds to investment Offerings", <u>PR Newswire Association, Inc.</u> , (01/17/1995), Section: Financial News, Chicago	
	"Merchant Accounts and Key Management", <u>Open Market, Inc., Appendix E, mailed to the USPTO October 24, 1994</u> , 13 pgs	
	"Mosaic for X version 2.0 Fill-Out form Support", <u>mosaic-x@ncsa.uiuc.edu, Appendix B, mailed to the USPTO October 24, 1994</u> , 9 pgs	
	"Preview Media and America Online Announce New Travel Services for America online Subscribers", <u>PR Newswire</u> , (02/07/1995), 3 pgs	
	"prodigy outline Internet Plans, Launches Services 09/24/94", <u>Newsbytes News Network</u> , (09/29/1994), 3 pgs	

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	"Spry's Air Mosaic Express Provides Internet Access to World Wide Web", <u>The PC Netter</u> , (12/01/1994), Volume 9, No. 12	
	"The Evolution of TELCOT the Foundation of 'The Seam'", <u>TELCOT Plains Cotton Cooperative Association</u> , (1997), 3 pgs	
	"Video Deposition of Thomas Woolston", <u>MercExchange, L.L.C. v. eBay Inc., and Returnbuy, Inc.</u> , United States District Court Eastern District of Virginia Norfolk Division, Civil Action No. 2:01-CV-736, (06/18/2002), 79 pgs	
	"Video Deposition of Thomas Woolston, Volume 2", <u>MercExchange, L.L.C. v. eBay Inc., and Returnbuy, Inc.</u> , United States District Court Eastern District of Virginia Norfolk Division, Civil Action No. 2:01-CV-736, (06/19/2002), 79 pgs	
	"Video Deposition of Thomas Woolston, Volume 3", <u>MercExchange, L.L.C. v. eBay Inc., and Returnbuy, Inc.</u> , United States District Court Eastern District of Virginia Norfolk Division, Civil Action No. 2:01-CV-736, (06/20/2002), 80 pgs	
	"What's new at eBay's Auction Web", <u>http://web.archive.org/web/19981202085151/http://www.ebay.com/aw/update.html</u> , AuctionWeb What's New, (05/18/2005), 6 pgs	
	BAKOS, J. Y., "A Strategic Analysis of Electronic Marketplaces", <u>MIS Quarterly Volume 15, No. 3</u> , (September 1991), p. 295-310	
	BATY, J., et al., "InterShop: Enhancing the Vendor/Customer Dealectic in Electronic Shopping", <u>Journal of Management Information Systems Vol. II, No. 4</u> , (1995), pp. 9-31	
	CHABROW, E., "A New Era Is Brokered In", <u>Information Week</u> , (09/18/1995), 3 pgs	
	CHURBUCK, D., "Dial-A-Catalog", <u>Forbes</u> , (10/10/1994), p. 126-130	
	CLARKE, R., "The Strategic Intent of Online Trading Systems a Case Study in National Livestock Marketing", <u>Xamax Consultancy Ltd.</u> , (08-16-92), 22 pgs	
	CLIFFORD, D., "Notes on Community Information Systems", (12/10/1989), 7 pgs	
	COHEN, D., "Computerized Commerce", <u>Proceedings of the IFIP World Computer Congress Held 8/28-9/1 1989</u> , Reprinted From <u>Information Processing 89</u> , (October 1989), 27 pgs	
	DAVIES, S. A., "Treasury action to 'go live' with computer tenders. (Treasury Automated Auction Processing System, or TAAPS)(Public securities association supplement)", <u>Bond Buyer v. 304, n2914</u> , (04/29/1993), 5 pgs	
	ELMER-DEWITT, P., "Battle for the Soul of the Internet", <u>Time Magazine Cover Story Technology Section</u> , (07/26/1994), 10 pgs	
	GRANT, G., "Mosaic Communications Unveils Network Navigator and Server Software for the Internet", (09/01/1994), 3 pgs	
	HENG-WAH, CHOY, "", <u>Declaration of Choy Heng-Wah Regarding BidBroker Software - an Electronic Auction System filed in MercExchange, LLC v. eBay Inc., et al., Case No. 2:01-CV-736 (E.D. Va.)</u> , (03/08/2002), 13 pgs	
	JOHNSON, et al., "Automated double oral auctions using IBM PC network", <u>Association for Computing Machinery, CSC '86 Cincinnati Proceedings</u> , (Feb. 1986), p. 507	

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	KAPLAN, S. J., "Intermart: the Virtual Shopper's Paradise", Intermart, (12/07/1994), 17 pgs	
	KELLY, S., "Jury Still Out on Treasury's Dutch Experiment", <u>New York, N.Y.: Apr 29 Vol. 304, Iss. 29141, (1993), Pg. A</u>	
	LEHMAN, "", <u>Lego Sale: Auzcilla is here, rec.toys.lego, (02/26/1995), 8 pgs</u>	
	LINDSEY, D., et al., "TELCOT: An Application of Information Technology for Competitive Advantage in the Cotton Industry", <u>MIS Quarterly, (December 1990), p. 347-357</u>	
	MCGOOKIN, STEPHEN, "Home-based brokers stay on-line via the Internet - The number of personal on-line brokerage accounts...", <u>The Financial Times Limited; Financial Times (London, England), (11/01/1995), p. 13</u>	
	OBRACZKA, K., et al., "Internet Resource Discovery", (September 1993), p. 8-22	
	OMIDYAR, P., "Google Newsgroup RE: AuctionWeb: Interactive Web Auction", (09/12/1995), 3 pgs	
	RESNICK, P., et al., "Twenty-Second Annual Telecommunications Policy Research Conference: Papers Section 2", <u>Solomons, MD, (October 1-3, 1994), p. 1-23</u>	
	SCHWARTZ, MICHAEL F., "Internet Resource Discovery at the University of Colorado", (October 1992), 16 pgs	
	SHAMOS, M. J., "Expert Report of Michael Ian Shamos Regarding Materiality of Prior Art Reference Not Disclosed by Patentee", <u>filed by eBay, (09/23/2002), 10 pgs</u>	
	SMITH, V., "Auctions, Bidding and Contracting: Uses and Theory—An Experimental Comparison of Alternative Rules for Competitive Market Exchange", <u>New York University Press, (1983), pp. 307-334</u>	
	SMITH, V., et al., "Competitive Market Institutions: Double Auctions vs Sealed Bid-Order Auctions", <u>The American Economic Review, (March 1982), Vol. 72, No. 1</u>	
	SMITH, V., et al., "On Nonbinding Price Controls in a Competitive Market", <u>The American Economic Review, (June 1981), Vol. 71, No. 3</u>	
	TENENBAUM, J., et al., "Development of Network Infrastructure and Services For Rapid Acquisition", (01/02/1992), 19 pgs	
	TETZEL, R., "Electronic Storefronts on the Internet", <u>Fortune, (11/28/1994), p. 191</u>	
	TRAUB, "", <u>MTG: All Editions Rare and Uncommon Auction, rec.games.deckmaster, (05/09/1994), 9 pgs</u>	
	VERNON, L. S. et al., "Experimental market economics", <u>edited version in 12/92 issues of Scientific American, (Sep 1991), 14 pgs</u>	
	VOELKER, et al., "Mosaic: an information system for a mobile wireless computing environment", <u>IEEE, (1995), pp. 185-190</u>	

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